UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,496	08/22/2003	James C. Bedingfield SR.	030161 (BLL-0101)	9667

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EXAMINER
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ART UNIT	PAPER NUMBER
2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/646,496	BEDINGFIELD, JAMES C.
	Examiner	Art Unit	
	Hemant Patel	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>22 August 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-19</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 18 objected to because of the following informalities: The recited limitation

of "said user system" is not in parent claim 16. Appropriate correction is required.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-2, 9, 13-14, 17, 19 are rejected under 35 U.S.C. 102(e) as being

anticipated by Bushnell (US Patent Application Publication No. 2004/0120504 A1).

Regarding claim 1, Bushnell discloses a method for providing a privacy

management service in a telephone system, said method comprising:

initiating a telephone call from a subscriber telephone number to a called party

telephone number, wherein said initiating is performed by a subscriber (Paragrpah

0019, subscriber originates a call to a called party and dials a telephone number);

determining if said called party telephone number is located in a subscriber

database corresponding to said subscriber (Paragrpah 0019, system 150 at step 205

checks to see if the called number of the associated outgoing call is in the subscriber's directory);

adding said called party telephone number to said subscriber database in response to said determining resulting in not locating said called party telephone number in said subscriber database (Paragrpah 0019, if the called number is not in the subscriber's database, system adds the called number to the subscriber's database); and

connecting said telephone call between said subscriber telephone number and said called party telephone number (Paragrpah 0019, the call is completed by the telephone switching system).

Regarding claim 2, Bushnell discloses a method of inquiring subscriber database by sending both the calling number and called number (Paragraph 0019).

Regarding claim 9, Bushnell discloses a system for providing a privacy management service in a telephone system having a service switching point in communication with a subscriber telephone having a subscriber telephone number, and a service control point in communication with the service switching point, said system comprising:

an off-hook delay trigger provisioned on the subscriber line at the service switching point for triggering a query to the service control point whenever a telephone call is made from the subscriber telephone number to a called party number (Paragraph 0019, the telephone switching system 110 sends both the calling number rand called number to the Click to Dial Favorites System 150);

a subscriber database in communication with the service control point (Fig. 1,

item 152); and

a service package application on the service control point for responding to the

query by determining whether the called party number is located in the subscriber

database, wherein:

when the called party number is not located in the subscriber database, the

service package application adds the called party number to the subscriber database

and routes the telephone call to the called party number (Paragrpah 0019, if the called

number is not in the subscriber's database, system adds the called number to the

subscriber's database); and

when the called party number is located in the subscriber database, the service

package application routes the call to the called party number (Paragrpah 0019, the call

is completed by the telephone switching system).

Regarding claims 13, 14, Bushnell discloses a system wherein subscriber

database (Fig. 1, item 152) is in direct communication with service control point (Fig. 1,

item 151).

Regarding claim 17, Bushnell discloses a user system (Fig. 1, items 101B,

102B, 103B) in communication with subscriber database for updating said subscriber

database (Paragraphs 0021-0022).

Regarding claim 19, it recites a computer program product that substantially

performs a method as claimed in claim 1. Bushnell discloses a system with components

that use computer program product as is well known in the art (Fig. 1; Paragraphs 0015-

0016). Refer to rejection for claim 1.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 3-5, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bushnell as applied to claims 1, 2, 9 above, and further in view of Stogel (US

Patent Application Publication No. 2002/0159574 A1).

Regarding claims 3, 4, 5, Bushnell teaches of using data network to connect to

networked database (Telephone Directory Search Engine, Click to Dial Favorites

System) using IP network (Paragraph 0021).

Bushnell does not teach of signal transfer point and service control point.

However, in the same field of endeavor, Stogel teaches of database (Fig. 1, item

165) and accessing it over SS7 network (Fig. 1, item 161) via STP and SCP (Paragraph

0043).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Bushnell to include a centralized database that is

accessed using SS7 network as taught by Stogel in order to make use of the existing

secure network infrastructure of telecom service providers.

Regarding claim 10, refer to rejection for claim 3, claim 4 and claim 9.

Regarding claim 11, Bushnell further teaches that the network is IP (Internet

Protocol) data network, which connects telephone switching system, Click to Dial

Favorites System, Telephone Directory Search Engine (Paragrpah 0021).

5.   Claims 15-16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Bushnell as applied to claims 9 above, and further in view of Weinman (US Patent

No. 6,658,455 B1).

Regarding claim 15, Bushnell does not teach that the subscriber database is a

relational database.

However, in the same field of endeavor, Weinman teaches of a database (Fig. 1,

item 110) that is relational (Fig. 1, items 105, 106, relates data in personal rule base

with data in personal storage directory).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Bushnell with a database that is related to each other as

taught by Weinman in order to arrange data separately according to their function and

thus keep each data entity manageable in size and hence to save real-time when

referring to any data in it.

Regarding claim 16, Bushnell does not teach that the subscriber database is

accessed through a server.

However, in the same field of endeavor, Weinman teaches that the subscriber

database (Fig. 1, item 110) is accessed via a server (Fig. 1, item 115) (col. 1, ll. 61-col.

12, ll. 3).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Bushnell with a database that is accessed via a server as

taught by Weinman so that the server "regulates information flow" (Weinman, col. 11, ll.

63) according to the requestor's access level as is known in the art.

Regarding claim 18, Bushnell teaches a user system (Fig. 1, items 101B, 102B,

103B) in communication with subscriber database (Fig. 1, item 150) via a network.

6.   Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Bushnell as applied to claim 1 above, and further in view of Pelletier (US Patent No.

6,496,569 B2).

Regarding claim 6, Bushnell teaches of a method further comprising:

receiving a second telephone call at a said subscriber telephone number from a

caller at a caller telephone number (Paragraph 0018, subscriber receives an incoming

call);

determining if said caller telephone number is located in said subscriber

database (Paragrpah 0018, Click to Dial Favorites System checks to if the calling

number of the associate incoming call is in the subscriber's database);

connecting said second telephone call between said subscriber telephone

number and said caller telephone number in response to said determining resulting in

locating said caller telephone number in said subscriber database (Paragraph 0018, the call is completed by the telephone switching system).

Bushnell does not teach of transmitting telephone call to a screening application.

However, in the same field of endeavor, Pelletier teaches of transmitting telephone call to a screening application located on a service node (Fig. 3, item 250; col. 5, ll. 56-65) in response to unrecognized calling party telephone number.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bushnell to transmit a telephone call to a screening application on a service node if the caller is not recognized as taught by Pelletier in order to prompt the caller to supply positive audible identification that can be delivered to a called party that does not accept calls from unidentified caller (Pelletier, col. 5, ll. 61-64).

Regarding claim 7, Pelletier further teaches of transmitting request for said caller to provide identification data (col. 5, ll. 63, request for providing name); and presenting options to said subscriber in response to receipt of said identification data (Fig. 9, steps 914, 916; col. 9, ll. 19-22, accept or reject the call).

7.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bushnell and Pelletier as applied to claim 7 above, and further in view of Lection (US Patent Application Publication No. 2004/0096046 A1).

Regarding claim 8, Bushnell teaches of adding caller telephone number to subscriber database (Paragrpah 0018, if the calling number is not in the subscriber's database, system adds the calling number to the subscriber's database).

Bushnell and Pelletier do not teach of a screening option of always answering a call and connecting the calling party to called subscriber.

However, in the same field of endeavor, Lection teaches of automatically answering the telephone call if the caller identification data (calling line number) matches an entry in the screening list maintained for the subscriber (Paragrpah 0023).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bushnell and Pelletier to automatically answer the call from the caller on approved list as taught by Lection in order to provide "the hands-free management of a telephone call without requiring the called party 170 to view the display of the handset 160, or to use the hands of the called party 170" (Lection, Paragraph 0025).

8.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bushnell and Weinman as applied to claim 10 above, and further in view of Miller (US Patent No. 6,944,184 B1).

Regarding claim 12, Bushnell and Weinman do not teach of TCP.

However, in the same field of endeavor, Miller teaches of using TCP/IP to connect database and SCP (col. 2, ll. 40-46).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Bushnell and Weinman to connect subscriber database to SCP using TCP/IP as taught by Miller in order to provide "a method of connecting to SCP units that does not require dedicated, expensive SS7 signaling links" (Miller, col. 4, ll. 3-5).

Conclusion

9.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wattenbarger (US Patent No. 5,835,570) Voice-Directed Telephone Directory With Voice Access To Directory Assistance

Bell (US Patent No. 6,549,619 B1) Method For Screening Calls

Schwab (US Patent No. 6,631,182 B1) Call Screening Apparatus And Method

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hemant Patel whose telephone number is 571-272-8620. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Hemant Patel
Examiner
Art Unit 2614

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